

RESOLUTION NO. 6704

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND AMENDING THE POLICIES AND PROCEDURES RELATIVE TO THE ESTABLISHMENT AND OPERATION OF COMMISSIONS, COMMITTEES, BOARDS, AND AUTHORITIES APPOINTED TO ADVISE THE CITY COUNCIL

Whereas, the use of citizen Commissions, Committees, Boards, and Authorities to advise the City Council on issues of public concern is an efficient and effective means of involving citizens in policy development; and

Whereas, Chapter 2.16 and Section 2.20.030 of the Upland Municipal Code provides that the City Council shall by resolution, establish a process for the screening of individuals desiring to serve as City Commission, Committee, Boards or Authority members; and

Whereas, the effective use of these Commissions, Committees, Boards, and Authorities is furthered by clear guidelines governing their creation and operation; and

Whereas, the City Council adopted Resolution No. 4331 which established guidelines governing the creation and operation of established Commissions, Committees, Boards and Authorities; and

Whereas, from time to time there is a need to eliminate or amend the established rules governing the operation and creation of Commissions, Committees, Boards, and Authorities, which was the basis for the adoption of Resolution Nos. 5786, 6038, 6270, 6397, 6504, 6539, 6581, 6583, 6608, and 6681; and

Whereas, the City desires to provide a fair and equitable manner by which citizens are appointed to City Commissions, Committees, Boards, and Authorities, which is free of undue influence, but which advances the authority provided by Government Code Section 40605; and

Whereas, the City Council may establish standing committees of the legislative body to provide an opportunity for fact finding prior to consideration by the entire Council; and

Whereas, the City Council established the Recreation Committee by Resolution No. 4839 on June 9, 1997, and rescinded previously adopted Resolution Nos. 2600, 3324, 3626, 4212 and 4474 and amended Resolution Nos. 4331 and 5007; and

Whereas, the City Council later amended the composition of the Recreation Committee with Resolution No. 5007, dated February 8, 1999, adding two School Board Members to the Committee; and

Whereas, the City Council added the Finance & Economic Development Committee, Police & Fire Committee, and Public Works Committee with Resolution No. 5290, dated December 10, 2001; and

Whereas, the City Council amended the Standing Legislative Committees by Resolution No. 6539 to include Economic Development Committee, Finance Committee, Police & Fire Committee, and Public Works Committee; and

Whereas, the Council amended, by Resolution No. 6581, the Economic Development Committee, Finance Committee and Public Works Committee to include five citizen advisory members; and

Whereas, the City Council established, by Resolution No. 6583, the Environmental Sustainability Advisory Committee and the Parks, Arts, Recreation, and Community Services (PARCS) Advisory Committee and dissolved the Traffic Safety Advisory Committee; and

Whereas, the City Council amended, by Resolution No. 6608, the Finance Committee Membership to include the City Treasurer without restriction; and

Whereas, the City Council amended, by Resolution No. 6681 the process for selection of new Planning Commissioners to fill vacancies; and

Whereas, the City Council now desires to consolidate certain City Commissions, Committees, Boards, and Authorities as further set forth below.

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines and resolves as follows:

Section 1. The City Council hereby amends the established guidelines and policies governing Commissions, Committees, Boards and Authorities of the City ("Guidelines and Policies") attached hereto and incorporated herein by reference, including the changes set forth in sections 2, 3, 4, 5, and 6 of this Resolution, and further including by incorporating, by reference, all prior actions taken by the City Council to eliminate or modify Commissions, Committees, Board, and Authorities to the extent they are not inconsistent with the attached Guidelines and Policies.

Section 2. The City Council hereby amends the Guidelines and Policies by dissolving and eliminating the Public Safety Committee.

Section 3. The Council hereby amends the Guidelines and Policies by consolidating the duties of the Community Development Block Grant Committee with the City Council Advisory Committee.

Section 4. The City Council hereby amends the Guidelines and Policies by consolidating the duties of the Environmental Sustainability Advisory Committee and the Street Tree Advisory Committee with the Public Works Committee.

Section 5. The City Council hereby amends the Guidelines and Policies by eliminating certain citizen advisory members from the Economic Development Committee and the Finance Committee.

Section 6. The City Council hereby amends the Guidelines and Policies by reducing the number of members on the Parks, Arts, Recreation, and Community Services (PARCS) Advisory Committee members to five and changing the meeting frequency to quarterly. In order to reduce the membership to five, each Councilmember shall nominate only one individual to serve on the Committee.

Section 7. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 8. Certification. The City Clerk shall certify the adoption of this Resolution and enter it into the book of original resolutions.

Section 9. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED and ADOPTED this 23rd day of January 2023.



Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 23rd day of January, 2023 by the following vote:

AYES: Mayor Velto, Councilmembers Garcia, Breitling, Maust, Zuniga
NOES: None
ABSENT: None
ABSTAINED: None

ATTEST:



Keri Johnson, City Clerk

GUIDELINES AND POLICIES GOVERNING
COMMISSIONS, COMMITTEES, BOARDS, AND AUTHORITIES.

SECTION 1. CREATION OF COMMISSIONS, COMMITTEES, BOARDS, AND AUTHORITIES

The Upland City Council shall have the power from time to time by resolution to create such Commissions, Committees, Boards, and Authorities which are necessary or deemed advisable by the Council to carry out the governmental functions of the City in the manner reflecting the best interest of its citizens. The number of members to each Commission, Committee, Board, and/or Authority shall unless otherwise required by law, correspond to the number of members of the appointing body as authorized by law. Each active member of the Upland City Council shall have an appointee on each Commission, Committee, Board and/or Authority. Each appointee shall be a citizen nominated by the Mayor or Councilmember, respectively, and approved by a majority vote of the City Council and appointed by the Mayor.

SECTION 2. DEFINITION

"Commission" shall be any group established pursuant to the Upland Municipal Code. "Committee" shall be any group of individuals which shall have any ongoing charge from the City Council and which are formed by resolution. "Committee" shall not include Committees composed solely of elected officials. "Board" shall be any group formed pursuant to State law providing for same. "Authority" shall be any group formed pursuant to State law providing for same. "Standing Legislative Committee" shall include committees comprised of elected officials who will review operational concerns prior to official council action.

SECTION 3. APPLICABILITY

The provisions of this resolution shall apply to all Commissions, Committees, Boards, and Authorities hereafter created by resolution of the City Council and to existing Commissions, Committees, Boards, and Authorities as identified on the attachments hereto. The provisions of this resolution shall supersede any minute motion or resolution of any prior City Council of Upland which is in conflict with the provisions of this document. Insofar as possible, the provisions of this resolution shall govern the operation and creation of Commissions, Committees, Boards, and Authorities appointed by the City Council except in those instances where the provisions of this resolution conflict with provisions of State or Federal law.

SECTION 4. APPOINTMENT AND APPLICATION PROCESS

The City Clerk shall maintain a roster of individuals who expressed interest in serving on City Commissions, Committees, Boards, and Authorities, who may be nominated by a serving member of the City Council, and who have completed an application form in a manner established or approved by the City Council. Said application shall indicate among other things, the Commission, Committee, Board, or Authority on which said individual is interested in serving. Any application filed shall be valid for a period of three (3) years. Incumbent Commission, Committee, Board, or Authority members shall submit an application prior to the end of their term if they would like to be considered for reappointment. Members of the City Council shall make appointments from this roster.

SECTION 5. SELECTION AND APPOINTMENT

Members of the City Council requiring representation on a particular Commission, Committee, Board, or Authority shall review the list of applicants and submit a nominee to the City Clerk. Councilmembers will give consideration to candidates who reside in their respective district. If a Councilmember cannot find a suitable candidate to nominate from the Councilmember's respective district, the Councilmember may nominate a candidate from a different district at

that Councilmember's discretion. The City Clerk shall place nominations before the City Council for its review and approval as and when necessary.

For selections made by the Mayor and ratified by the City Council, the Mayor shall review the list of applicants and submit a nominee to the City Clerk. The City Clerk shall place the nominations before the City Council for its review and approval as and when necessary.

In appointing Planning Commissioners, whenever there is a vacancy on the Planning Commission, the City Council shall form a temporary ad hoc committee which shall consist of the Mayor (or another Councilmember appointed by the Mayor) and the Mayor Pro Tem (or another Councilmember appointed by the Mayor). The ad hoc committee may call upon individuals to advise the committee. The committee advisors may include, but are not limited to, the Chair of the Planning Commission (or other Planning Commissioner designated by the Mayor if the Chair is seeking re-appointment) and the Development Services Director. The committee advisors shall have no voting power during the selection process. The ad hoc committee meetings shall not be subject to the Brown Act. However, at the Mayor's discretion, the ad hoc committee meetings where candidate interviews are conducted may voluntarily be conducted open to the public, while the rating and discussion of candidates may be closed to the public. Each City Councilmember may recommend at least one applicant from their District for an interview by the ad hoc committee. Once a Planning Commissioner vacancy is filled by the Mayor's appointment and the City Council's ratification, the ad hoc committee shall disband.

Appointments to standing legislative committees (Economic Development, Finance Committee, and Public Works Committee) are made by the Mayor biannually to coincide with elections and may be reviewed and reassigned annually or as needed. The Public Works Committee, will also include five advisory members, one advisory member appointed by each Councilmember.

SECTION 6. TERMS OF COMMISSION, COMMITTEES, BOARDS, AND AUTHORITIES

For Council nominated appointments the term of each Commission, Committee, Board, and Authority member shall coincide with the holding of office by the nominating member of the City Council, unless otherwise prescribed by resolution creating the Commission, Committee, Board, or Authority.

For appointments made by the Mayor, the term shall be as outlined in the creation of the Commission, Committee, Board, or Authority.

No Commission, Committee, Board, or Authority member shall serve for more than two (2) consecutive terms on any individual Committee, Commission, Board, or Authority without the approval of the City Council by an affirmative 4/5ths vote.

SECTION 7. REMOVAL FROM COMMISSION, COMMITTEES, BOARDS, AND AUTHORITIES

Any Committee, Commission, Board, or Authority member may be removed from office during their unexpired term upon vote of the City Council, when in the sole discretion of the Council said removal is deemed appropriate. If the request for removal is from the appointing Councilmember, removal of the appointee will require a majority vote of the Council. Any request for removal from any member of the Council other than the nominating Councilmember will require a 4/5 vote of the Council. Notwithstanding the foregoing, if the appointee's nominating Councilmember is no longer a part of the Upland City Council or Mayor, that appointee shall be deemed to have automatically resigned the seat they hold upon the filling of the City Council vacancy.

SECTION 8. RESIDENCY OF COMMISSION, COMMITTEE, BOARD, AND AUTHORITY MEMBERS

In order to be appointed to a Commission, Committee, Board, or Authority, a prospective appointee must be a resident of the City of Upland and must remain in residence throughout the term of their appointment, unless a member is appointed by another entity. This provision may be waived upon an affirmative 4/5ths vote of the Council.

SECTION 9. CHAIRPERSON SELECTION

With the exception of the Planning Commission, the Library Board, and the Personnel Board of Review, the member appointed by the Mayor to any Commission, Committee, Board, and/or Authority shall serve as the Chairperson of that body. With regard to the Planning Commission, the Library Board, and the Personnel Board of Review, the members of said bodies shall select, nominate, and appoint by majority consensus, a sitting member of the Body to the position of Chairperson. The term of the Chairperson shall be for 2 years. No Chairperson shall serve for more than two (2) consecutive terms without the approval of the City Council by an affirmative 4/5ths vote.

SECTION 10. POSTING REQUIRED

The City Clerk shall, before December 31st of each year, develop a listing of all scheduled vacancies on City Commissions, Committees, Boards, and/or Authorities expected during the next twelve (12) months. In addition to the requirement of the Government Code, said list shall be posted at City buildings and other locations as may be designated from time to time by City Council resolution, for a period of thirty (30) days and announced at a Council meeting in December. Said listing shall advise interested parties to obtain application forms and related materials at the City Clerk's office. In addition, the City Clerk shall publish said list in the city newsletter seeking applications from interested parties and listing scheduled vacancies during the same thirty (30) day period. Unscheduled vacancies shall be advertised in accordance with the Government Code and posted at the same location as scheduled vacancies.

SECTION 11. DUTIES

The Commissions, Committees, Boards, and Authorities established by the Council shall perform such duties and have such powers as may be established from time to time by the Council.

SECTION 12. ATTENDANCE

In any case where a Commission, Committee, Board, and/or Authority member has missed three (3) regularly scheduled meetings in a twelve (12) month period without notifying the Chair of said Commission, Committee, Board, and/or Authority in advance of said meeting, the City Clerk shall contact the Commission, Committee, Board, and/or Authority member with a request to provide the reasons therefore, which shall be forwarded to the City Council.

SECTION 13. OPEN MEETINGS

All Commission, Committee, Board, and Authority meetings, except those meetings specifically exempted herein, shall be conducted pursuant to the provisions of the Ralph M. Brown Act and the City Clerk shall maintain a copy of all agendas and minutes of all meetings.

BUILDING APPEALS BOARD

PURPOSE

To determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, the Uniform Housing Code, Uniform Code for the Abatement of Dangerous Buildings, National Electric Code, and the Seismic Hazards Reduction Ordinance.

MEMBERSHIP

5 Members Total

Selected from the following classifications:

- a. Architect or Engineer
- b. Attorney
- c. Contractor – Electrical, Mechanical, Plumbing or General

LENGTH OF TERM/FREQUENCY OF MEETINGS

4 Year Term / Meetings are scheduled as needed as appeals are received.

No member may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council

SELECTION PROCESS

- The City Clerk causes a request for volunteers to be posted
- Using the criteria for membership, the Building Official determines if applicants are qualified and passes all qualified candidates to the City Clerk
- Each member of the City Council shall submit their nomination from the list of qualified candidates to the City Clerk for consideration at a Council meeting

CODE REFERENCES

Resolution 4107

Resolution 2725

Ordinance 1882

(effective July 27, 1992)

CITY COUNCIL ADVISORY COMMITTEE

PURPOSE

Review of any matters which may be referred to the Committee from time to time. If so directed, the City Council Advisory Committee will be responsible for performing an analysis and present recommendations to the City Council.

Annually review applications for Community Development Block Grant funds, conduct hearings to determine the most effective use of the grant funds and provide recommendations to the City Council.

MEMBERSHIP

5 Members Total
Nominated by Councilmembers

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 year terms to coincide with the terms of Mayor and Councilmember making nomination
- No applicant may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council
- Meets quarterly, the first Wednesday of March, June, September, and December
- Special meetings held from January through April, on an as needed basis to review Community Development Block Grant Applications.

SELECTION PROCESS

Each member of the City Council shall submit their nomination to the City Clerk for consideration at a Council meeting.

CODE REFERENCE

- Ordinance 1812, 10/8/2006
- Ordinance 1428, Section 2, 6/20/88
- Ordinance 1416, Section 1, 12/21/87
- Ordinance 1563, Section 1, 10/26/72
- Council Minutes 7/3/72

LIBRARY BOARD

PURPOSE

The Upland Public Library serves the community by providing materials and staff assistance for meeting the informal and educational needs of the library users.

MEMBERSHIP

- 5 Citizens at Large
- 1 Council Liaison (advisory)
- 1 Friends of the Library Liaison (advisory)

LENGTH OF TERMS/FREQUENCY OF MEETINGS

- 3 Year Term
- Meetings held the second Wednesday of the month, except the month of August.
- No applicant shall serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council

SELECTION PROCESS

Mayor shall appoint with Council ratification

CODE REFERENCES

- Council Minutes 3/14/89

UMC Section 2.28.010

California Library laws, Education Code 1990
Ordinance No. 99

PARKS, ARTS, RECREATION, AND COMMUNITY SERVICES (PARCS) ADVISORY COMMITTEE

PURPOSE

This Committee shall act in an advisory capacity in matters pertaining to parklands, trails, recreational programs, youth and senior services, cultural arts programs, and special events throughout the City.

MEMBERSHIP

5 Members Total

Nominated by Councilmembers (one senior liaison member and one youth liaison member to be designated annually by the committee)

LENGTH OF TERM

- 4 year terms to coincide with the terms of Mayor and Councilmember making nomination
- No applicant may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council

MEETINGS

Meetings held the first Tuesday of February, May, August, and November.

SELECTION PROCESS

Each member of the City Council shall submit their nomination to the City Clerk for consideration at a Council meeting.

CODE REFERENCE

- Resolution No. 6583
- Council Minutes 4/26/21

PERSONNEL BOARD OF REVIEW

PURPOSE

The functions of the board shall be to hear appeals as provided by this part and by rule, except matters pertaining to the meet and confer process.

MEMBERSHIP

3 Members Total
1 Alternate Member

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 Year Term
- No applicant shall serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council
- On call by the Human Resources Manager

SELECTION PROCESS

- 1 member - Council appointment shall be made by the Mayor, with Council ratification
- 1 member - Employee Associations submits name(s) and Council selects appointment
- 1 member agreed upon by Council and Employee Associations
- 1 alternate member agreed upon by Council and Employee Associations

CODE REFERENCE

UMC Section 2.36.160
Ordinance 1566
Ordinance 1494
Minute Action 5/31/1945

PLANNING COMMISSION

PURPOSE

The powers and duties of the Planning Commission shall be to:

1. Prepare, periodically review, and revise, as necessary the General Plan
2. Annually review the Capital Improvement Program of the City and the local public works projects of other local agencies for their consistency with the General Plan
3. Perform other functions as the City Council provides
4. Perform such other land use-related functions pursuant to State laws pertaining to conservation, planning, and zoning as the council may direct or provide
5. Serve as the Airport Land Use Committee, applying the procedures and findings set forth in the Municipal Code in regards to all processes relating to a request for an implementation/land use compatibility decision, preparation, adoption and amendment to the Comprehensive Airport Land Use Plan of the City of Upland conforming to requirements set forth in Public Utilities Section 21670.1
6. Serve as the Historic Preservation Committee as outlined in the Upland Municipal Code

MEMBERSHIP

7 Members Total

Airport Land Use Committee consists of:

7 Planning Commissioners

2 ALUC members (possess expertise in aviation)

LENGTH OF TERM/FREQUENCY OF MEETINGS

- 4 year terms
- No applicant may serve more than two full consecutive terms, unless approved by a 4/5ths vote of the Council
- Once a month, 4th Wednesday
- Commissioners receive \$100 compensation per meeting (not to exceed \$200 per month)

SELECTION PROCESS

- The City Clerk causes a request for volunteers to be posted
- Mayor (or Mayor designee) and Mayor Pro Tem (or Mayor designee) shall comprise an ad hoc committee and shall interview applicants. The ad hoc committee may call upon advisors such as, but not limited to, the Planning Commission Chair (or designee selected by the Mayor if the Chair is seeking re-appointment) and the Development Services Director.
- The ad hoc committee shall recommend at least one candidate per opening to the Mayor for ratification by the City Council.
- Once a candidate is appointed by the Mayor and ratified by the City Council, the ad hoc committee shall disband.
- Airport Land Use Commissioners - Mayor shall appoint with Council ratification.

CODE REFERENCE

UMC Chapter 17.43.030
Resolution No. 6681
Resolution 6397
Resolution 6270

Resolution 4697
Ordinance 1202
Ordinance 415

ECONOMIC DEVELOPMENT COMMITTEE

PURPOSE

The function of the Committee is to provide an opportunity for review and fact finding relative to significant projects, programs, or activities in economic development operations prior to consideration by the entire Council.

MEMBERSHIP

2 City Council Members

1 Upland Chamber Member – advisory member only

LENGTH OF TERM/FREQUENCY OF MEETINGS

- Appointments may coincide with elections biannually or be reviewed and reassigned annually as desired by the Mayor
- Meets quarterly, the first Monday of March, June, September, and December

SELECTION PROCESS

Council Members on all Standing Legislative Committees are appointed by the Mayor. The Chamber of Commerce shall submit their nomination to the City Clerk for ratification at a Council meeting.

CODE REFERENCE

UMC Section 2.16.010

Ordinance No. 1913

Resolution No. 6583

Resolution No. 6581

Resolution No. 6397

Resolution No. 5290

Upland City Council Minutes, 12/01/2001

PUBLIC WORKS COMMITTEE

PURPOSE

The function of the Committee is to provide an opportunity for review and fact finding relative to significant projects, programs, or activities in Public Works operations prior to consideration by the entire Council.

This Committee shall act in an advisory capacity on issues pertaining to environmental impacts, sustainability practices, and legislative mandates that impact the environmental health and the well-being of the City of Upland and its residents. The Committee will collaborate on environmental matters to promote environmental sustainability within the community. The Committee will make recommendations in regard to community clean-ups, beautification campaigns, Earth Day events, public outreach, and education on issues including recycling, storm water pollution, water conservation and sustainability practices.

The Citizen Advisory Members of this Committee shall study and review the proposed Urban Forestry Management Plan and make appropriate recommendation to Council and staff regarding the matters contained therein; to provide an avenue for citizens to appeal special circumstantial tree problems (i.e., tree removals, street tree designations, spraying for fruit insects); and shall review tree removal and other policies, as well as handle any and all citizen appeals regarding tree matters under Upland Municipal Code Chapter 12.26. Said appeals shall be heard by the citizen members of the Committee only (i.e., not the serving City Council members, who shall take no part in such appeals).

MEMBERSHIP

2 City Council Members
5 Citizens - advisory members

LENGTH OF TERM/FREQUENCY OF MEETINGS

- Appointments may coincide with elections biannually or be reviewed and reassigned annually as desired by the Mayor
- Meets quarterly, the 2nd Tuesday of January, April, July, and October

SELECTION PROCESS

Council Members on all Standing Legislative Committees are appointed by the Mayor. Citizens at Large - Each member of the City Council shall submit their nomination to the City Clerk for ratification at a Council meeting.

CODE REFERENCE

UMC Section 2.16.010
Resolution No. 6583
Resolution No. 6581
Resolution No. 5290
Upland City Council Minutes, 12/01/2001

FINANCE COMMITTEE

PURPOSE

The Committee shall be responsible for reviewing matters pertaining to the finances of the City. This may include reviewing warrants and registers, financial statements, investment reports, the City's annual independent audit, City fees and service charges, and operating budgets

MEMBERSHIP

2 City Council Members
City Treasurer
Finance Officer - advisory only (staff)

LENGTH OF TERM/FREQUENCY OF MEETINGS

- Appointments may coincide with elections biannually or be reviewed and reassigned annually as desired by the Mayor with the exception of the Finance Officer
- Meets quarterly, the 4th Wednesday of January, April, July, and October

SELECTION PROCESS

The City Treasurer is an established elected position and shall review and provide input on the quarterly investment reports.
Council Members on all Standing Legislative Committees are appointed by the Mayor.

CODE REFERENCE

UMC Section 2.16.010
Resolution No. 6608
Resolution No. 6583
Resolution No. 6581
Resolution No. 6397
Resolution No. 6394 (Investment Policy)